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By: Nina L. McNeill
Nina L. McNeill

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of:

Adam Coyle

Application No.: 09/713,603

Filed: November 15, 2000

Examiner: Patel, Jagdish

Art Unit: 3624

APPEAL BRIEF UNDER 37 CFR §41.37

For: RELOADABLE DEBIT CARD
SYSTEM AND METHOD

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Sir:

05/03/2005 TMCBRIDE 0000000 Appellant offers this Brief further to the Notice of Appeal mailed concurrently

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1. Real Party in Interest

The real party in interest is First Data Corporation.

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PATENT

a. Whether Claims 6 and 16 are unpatentable over Weiss in view of Bator and further in view of Fite

Claims 6 and 16 depend respectively from Claims 1 and 10 (via intermediate Claim 15). These claims are believed to be patentable by virtue of their dependence from patentable claims.

8. Conclusion

Appellant believes that the above discussion is fully responsive to all grounds of rejection set forth in the application. Please deduct the requisite fees pursuant to 37 C.F.R. §1.17(c) from Deposit Account 20-1430 and any additional fees that may be due in association with the filing of this Brief.

It is respectfully believed that previous fees in the amounts of \$320 paid May 1, 2003 for filing a Notice of Appeal and \$320 paid June 27, 2003 for filing an Appellant Brief should be applied to this appeal since prosecution was previously reopened by the Primary Examiner pursuant to 37 C.F.R. §1.193(b)(2) before promulgation of recently modified appeal rules. See MPEP 1208.02. Should the Office determine otherwise, however, it is authorized to deduct the entire fees of \$500.00 for filing of the Notice of Appeal and \$500.00 for filing this Brief from Deposit Account 20-1430.

Respectfully submitted,


Patrick M. Boucher
Reg. No. 44,037

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
PMB:pmb
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